UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,908	09/01/2000	Sam Khavari	P3938	6546

24739 7590 04/04/2006

CENTRAL COAST PATENT AGENCY
PO BOX 187
AROMAS, CA 95004

EXAMINER	
BLACKWELL, JAMES H	

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/653,908	KHAVARI ET AL.	
	Examiner	Art Unit	
	James H. Blackwell	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 January 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *22-33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *22-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01 September 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to Response D filed 07/28/2005. The oldest priority date listed by the original application is **12/08/1998**.

2. Claims 22-33 remain pending in the amendment. Claims 22, and 28 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 22-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anupam et al. (hereinafter Anupam, "Automating Web Navigation with the WebVCR", preprint submitted to Elsevier Preprint, 03/01/2000) in view of Manohar et al. (hereinafter Manohar, U.S. Patent No. 6,572,662, filed 05/15/1998), and in further view of Reed et al. (hereinafter Reed, U.S. Patent No. 6,088,717 filed 08/31/1998, issued 07/11/2000), and in further view of Silva et al. (hereinafter Silva, U.S. Patent No. 6,976,210 filed 08/29/2000, issued 12/13/2005).

In regard to independent Claim 22 (and similarly independent Claim 28), Anupam teaches the WebVCR system (*a session recording mechanism operable by a first user*) that lets a user record and replay a series of browsing steps in smart bookmarks (Abstract).

Anupam also teaches *recording user web navigation and interaction* activity in that by clicking the record button, (1) the applet records the current URL as the starting location of the smart bookmark; and (2) the applet inserts event handlers on all elements in the MainWindow that the user might operate on. From then on, as the user navigates via link traversals (*navigation activity*) or form submissions (*interaction activity*), each action triggers an event handler that causes the applet to record the corresponding action (p. 6, bottom paragraph).

Anupam also teaches that during playback, WebVCR applet uses the steps recorded in the smart bookmark to inform the browser which action to take in order to retrieve the next page. For example, for link traversals, the corresponding URL is loaded into the browser; for form submissions, the values input by the user (and recorded in the smart bookmark) are used to fill the form before submitting it (P. 7, 2nd paragraph). Hence, Anupam teaches that during the recording process *data collection associated with a manual navigation and interaction sequence* takes place in that form values filled in during the recording session (in which a manual browsing session is taking place) are saved so that when the smart bookmark containing the filled in data is replayed, those values are inserted into their appropriate locations in the form.

Anupam also teaches that the recording process also records the URLs of links traversed during the recording session so that when replayed the same sequence of navigation steps will take place as if it were being done manually (p. 7).

Anupam does not explicitly teach that the recording mechanism for recording user Web navigation and interaction activity required for data collection associated with

a manual navigation and interaction sequence *comprising plurality of web sites.* However, Manohar teaches, in the Example depicted in Figure 3, an illustration of a tour (310) that spans three web sites (320, 330, 340) over which a tour is specified (Col. 8, lines 13-23). Hence, the tour consists of content from multiple different web sites. It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Anupam and Manohar as both inventions relate to web touring. The addition of the prior art of Manohar adds the feature of involving the use of multiple different web sites in the construction of a web tour.

Anupam continues by teaching that WebVCR records data that is filled into forms so that when replayed, the smart bookmarks can supply the information for the form as if the user was filling in the form manually (p. 6, bottom of page). In addition, Anupam strongly suggests that WebVCR's recording feature can act as *a log-in mechanism for storing user-entered log-in information for individual ones of the plurality of sites visited in the manual sequence* since a smart bookmark can be created (through recording) to login to a specific site (implying that whatever is required to do so, e.g. username and/or password is also recorded) (p. 7, 2nd paragraph from bottom; Example 1.1, p. 2; Fig. 1; Fig. 7).

Reed perhaps better teaches the notion of a login mechanism in the form of a communications object (110) employing data exchange methods (141) to control the relationship (between a client and server(s)), the provider (server) can first gather most or all of the consumer's (client) preference data automatically. This can be controlled by rules (140) imposed by the consumer (client). The provider's (server) communications

object (110) itself can create the necessary ID for the consumer (client) using the system ID (100, Fig. 3) of the consumer (client) database (resident on client) (21) or a derivative thereof. The consumer (client) is not required to give a password manually because the provider's communications object (110) can communicate with the consumer program (on client) (22) to establish the consumer's (client) identity (the consumer's own identification and preference elements 143 stay safely within the consumers own computing environment) (Col. 78, lines 1-26).

Reed also suggests that one such use for such a communications object would be in online navigation or "auto-pilot" software, which can help the user automate access to online services, the Internet, and other public networks. The software provided by these services or companies can include capabilities such as automatic logons, automatic navigation of the online system according to consumer preferences, file searches, uploading and downloading data, and storage of data. Some systems can also automatically download the data necessary to update their own operation. However, the navigation software available from the online services typically requires that the consumer first establish an account with the online service, and may also involve establishing accounts with specific providers on the service. In addition, these navigator programs are specifically designed to work with the architecture and communications protocols of the online service, and cannot be easily adapted to other data communications networks, thus preventing other providers from using the functionality of the online service to create and distribute data in the same manner. Finally, they require that the consumer set up and maintain a communications

relationship with each information provider on the service. If the provider changes its information offerings, the consumer must reprogram the autopilot or navigation software. This last disadvantage also applies to online navigation programs designed to work with the Internet and other non-proprietary public data networks (Col. 4, lines 45-67; Col. 5, lines 1-4).

Thus, Reed teaches a mechanism that can perform the claimed limitations of *a log-in mechanism for storing log-in information for one or more users for second users for individual ones of the plurality of web sites* and *(the system), using the login information for the second user...* It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Anupam, Manohar, and Reed as all three inventions relate to the recording and playback of web navigation and interaction steps. Adding the teaching of Reed provides the benefit of a login mechanism that assists in communications between servers and clients when access to secured, visited sites is required during playback of web navigation steps.

Anupam continues by teaching that the result of a recording session with WebVCR is a smart bookmark, which is a file that contains all the specified steps that are needed in order to reproduce the navigation and interaction sequence that was previously recorded (Fig. 7; p. 7 3rd paragraph from bottom). A *file creation module for converting operations recorded in the manual sequence into an executable sequence of instructions for conducting an automated sequence* is implied here to create and store the navigation and interaction sequence. During replay, the WebVCR reproduces the navigation and interaction sequence contained in the smart bookmark file (compare with

Claim 22 (and similarly Claim 28; *wherein the system follows the manual sequence, creates the automated sequence, and performs the automated sequence at least once after creation, ... and storing and aggregating data collected in the automated sequence*). Note, the login mechanism is addressed above by the teaching of Reed.

It is further noted that the prior art of Silva, which addresses subject matter closely related to that of Anupam teaches that once a Web view has been created by the user, it can be stored locally on the user's machine in a Web views application database (112) for later access by the user. In this mode, the creation and display of the Web view through the PA acts as the user's personal tool. All steps involved in the creation and display of the Web view occurs within the user's machine and is stored in that machine. Advantageously, the user is able to maintain complete privacy over his view and the information in that view. *Alternatively, a Web view can be created through a personalization server 114 connected to WWW 107 and stored in a Web views database 115. Users from anywhere on the Web may then have access to the Web views stored in the Web views database 115 which are accessed through server 114.* Thus, the prior art of Silva, in combination with Anupam, Manohar, and Reed teaches that a proxy (first user) can create web views (smart bookmarks), recorded web sessions for others to use. It would have been obvious to one of ordinary skill in the art at the time of invention to combine these references, Silva providing the benefit of making useful "smart bookmarks", web views available to others accessing a server.

In regard to dependent Claim 23 (and similarly dependent Claim 29), Anupam does not explicitly teach that *the file-creation module includes a function for*

creating an executable icon for launching the automated sequence. However, Anupam does teach that a user has the option of saving the smart bookmark to a file that also contains a reference to the WebVCR applet (p. 7, bottom paragraph). This file can then be treated as a normal bookmark that when selected (e.g., clicked on with a mouse) executes the applet and the automated sequence. Thus, it would have been obvious to one of ordinary skill in the art at the time of invention to conclude that the smart bookmark of Anupam provides the functional equivalent of an executable icon allowing the user to one-click their way to the site and execute the steps previously recorded.

In regard to dependent Claim 24 (and similarly dependent Claim 30), Anupam fails to explicitly teach that *the executable sequence of instructions are XML instructions*. However, Anupam does create a file (Fig. 7) that is structured in nature, using HTML-like tags as well as other non-HTML standard tags. It would have therefore been obvious to one of ordinary skill in the art at the time of invention that the smart bookmark file of Anupam would have been easily altered to make it XML compliant providing the benefit of a widely used and standard file format to record a sequence of instructions executable on the web.

In regard to dependent Claim 25 (and similarly dependent Claim 31), Anupam teaches *form-population and hyper-linking* (p. 7, 2nd paragraph from bottom).

In regard to dependent Claim 26 (and similarly dependent Claim 32), Anupam teaches that the WebVCR can be implemented as a Java Applet that is configurable in that it can be configured to record and playback web navigation and interaction sequences (Figs. 4-5).

In regard to dependent Claim 27 (and similarly dependent Claims 33), Anupam does not specifically teach that *the automated sequence is created as a result of manual user programming instead of recording a manual sequence.* However, since Anupam produces a file containing the navigation and interaction sequence (Fig. 7) (smart bookmark), and suggests that one can at least indirectly modify the sequence (pp. 15-16 discussing heuristics to apply in order to resolve certain problems with the automation and allowing the user to define their own rules). It would have been obvious for one of ordinary skill in the art at the time of invention to simply edit the file providing the benefit of fine-tuning the sequence of events to assure proper execution.

Response to Arguments

5. Applicant argues that the prior art of Anupam fails to teach "*the ability to perform, by proxy, the automated navigation sequence created by the navigation and interaction of a first user, on behalf of a second user, and transmitting aggregated data resulting from the navigation to one or more second users*". The Examiner respectfully agrees and withdraws the rejection. However, the Examiner introduces the prior art of Silva et al., which contains similar subject matter to that of Anupam and further teaches that a user can provide recorded web navigation and interaction sessions for others to use (see rejection above).

6. The Applicant also makes the comment that *they also believes that the reference of Anupam does not adequately deal with extracting, formatting, normalizing and summarizing the collected data transmitted to the user.* The Examiner respectfully points out that such actions are not presently addressed in the claims.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

8. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H. Blackwell whose telephone number is 571-272-4089. The examiner can normally be reached on Mon-Fri.

10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James H. Blackwell
03/28/2006

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
3/30/2006